

IN THE DRAWINGS

No objection to the drawings was indicated by the Examiner. As such, Applicants assume the drawings to be acceptable.

REMARKS

By this amendment, claims 1, 3, 4, 6-11, and 13-15 have been amended. New claims 16-20 have been added. No new subject matter is introduced by way of these amendments. Accordingly, claims 1-20 are pending in the present application. Thus, claims 1-20 are pending in the present application. In view of the amendments and remarks set forth below, reconsideration of the application is respectfully requested of the Examiner.

In the Office Action, claims 1 and 13 were objected to because of informalities. As amended, claims 1 and 13 recite the acronyms consistent with language set forth in the Applicant's Specification on page 2, line 13, page 3, and line 10. Likewise, claim 4, 8, 10, and 14 have been amended. In particular, the acronym "IAD" is rewritten as integrated access device "IAD". Accordingly, Applicants respectfully traverse the Examiner's objections to claims 1 and 13.

Claims 1 and 12 were rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Gurusami, et al. (U.S. Patent No. 6,031,846). Applicants respectfully traverse the Examiner's §102 rejections.

An anticipating reference by definition must disclose every limitation of the rejected claim in the same relationship to one another as set forth in the claim. Claim 1, among other things, calls for a method for transmitting delay sensitive information (DSI) over a communication link of a communication network. The method includes transmitting an initial DSI after selectively applying a delay to the initial DSI where such delay is based on a

determined periodicity of the received DSI in response to identifying a received DSI. Support for the amendments can be found throughout the Applicant's Specification including on page 7, lines 6-15 and the Abstract of the invention on page 18.

Gurusami does not anticipate the invention set forth in claim 1 for many reasons. Claim 1 sets forth the act of identifying a received DSI and selectively applying a delay to the initial DSI. *Gurusami* does not perform this step. Instead, *Gurusami* measures a packet arrival time of each packet from each transmitter and determines a delay factor for each transmitter, wherein each of the transmitter delay factors is dependent upon the packet arrival time from the corresponding transmitter. (*Gurusami*, col. 7, lines 40-60 and Figure 10). *Gurusami* measures a packet arrival time and determines a delay factor based on that packet arrival time. In this manner, *Gurusami* does not identify receipt of delay sensitive information (DSI) and selective application of a delay to the initial DSI. Based on the above-indicated legal standard, it is respectfully submitted that *Gurusami* fails to anticipate independent claim 1 and claims 2-12 depending therefrom.

Claims 3 and 13-15 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Gurusami* and in view of Ellis, et al. (U.S. Patent No. 5,497,371). Reconsideration of the present application in view of the reasons set forth herein is respectfully requested.

Applicants submit that claim 3 is not rendered obvious over *Gurusami* in view of *Ellis*. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The Examiner relies on *Ellis* to

describe the claim limitations not taught by *Gurusami*. However, *Ellis* fails to remedy the fundamental deficiencies of *Gurusami* discussed above. Moreover, the *Gurusami* and *Ellis* references also fail to provide any suggestion or motivation for modifying the prior art to supply Applicant's claimed invention.

Further, independent claim 13 sets forth, among other things, an apparatus that selectively applies a delay. For at least the reasons discussed above, Applicants' respectfully submit that the present invention is not obvious over *Gurusami* in view of *Ellis*. Applicants request that the Examiner's rejections of claim 1 should be withdrawn.

With respect to claim 13, the cited references also fail to provide any suggestion or motivation for modifying the prior art to arrive at Applicant's claimed invention. Applicants' respectfully submit that the present invention is not rendered obvious over the cited references, considered either alone or in combination. Claims 3 and 13 are thus allowable for at least the reasons presented above.

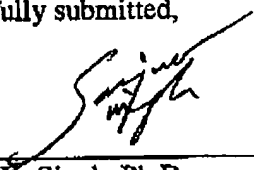
Additionally, dependant claims 14 and 15 are also allowable for the same reasons discussed above in conjunction with claim 13.

Reconsideration of the present application is requested. In light of the arguments presented above, Applicant's respectfully assert that all claims are allowable. Accordingly, a Notice of Allowance is respectfully solicited.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4089 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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